

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

ANTONIO REYES,

Defendants.

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21-CR-747 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

Regrettably, the Court was not allocated a videoconference slot for the substitution of counsel proceeding, as it had requested. Instead, it was allocated a **teleconference** slot for **June 10, 2022, at 9:30 a.m.** In light of that, the Court is prepared to find that videoconferencing is not “reasonably available,” which would authorize the Court to hold the proceeding by telephone under the CARES Act.

Defendant, counsel, members of the press, and the public may access the conference by calling **888-363-4749 and using access code 542-1540#**. Members of the press and public will not be permitted to speak during the conference. Counsel should adhere to the following rules and guidelines during the hearing:


1. Each party should designate a single lawyer to speak on its behalf (including when noting the appearances of other counsel on the telephone).
2. Counsel should use a landline whenever possible, should use a headset instead of a speakerphone, and must mute themselves whenever they are not speaking to eliminate background noise. In addition, counsel should not use voice-activated systems that do not allow the user to know when someone else is trying to speak at the same time.
3. To facilitate an orderly teleconference and the creation of an accurate transcript, counsel are *required* to identify themselves every time they speak. Counsel should spell any proper names for the court reporter. Counsel should also take special care not to interrupt or speak over one another.

4. If there is a beep or chime indicating that a new caller has joined while counsel is speaking, counsel should pause to allow the Court to ascertain the identity of the new participant and confirm that the court reporter has not been dropped from the call.

If possible, defense counsel shall discuss the attached Waiver of Right to be Present at Criminal Proceeding with the Defendant prior to the proceeding. If the Defendant consents, and is able to sign the form (either personally or, in accordance with Standing Order 20-MC-174 of March 27, 2020, by defense counsel), defense counsel shall file the executed form **at least 24 hours prior to the proceeding**. In the event the Defendant consents, but counsel is unable to obtain or affix the Defendant's signature on the form, the Court will conduct an inquiry at the outset of the proceeding to determine whether it is appropriate for the Court to add the Defendant's signature to the form.

SO ORDERED.

Dated: June 7, 2022
New York, New York



JESSE M. FURMAN
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

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Defendant.

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___-CR-___ (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

Defendant _____ hereby knowingly and voluntarily
consents to participate in the following proceeding via video or teleconferencing:

- ___ Initial Appearance/Appointment or Substitution of Counsel
- ___ Arraignment (If on Felony Information, Defendant Must Sign Separate Waiver of Indictment Form)
- ___ Preliminary Hearing on Felony Complaint
- ___ Bail/Revocation/Detention Hearing
- ___ Status and/or Scheduling Conference
- ___ Misdemeanor Plea/Trial/Sentence
- ___ Entry of Plea of Guilty

I am aware that I have been charged with violations of federal law. I have consulted with my attorney about those charges. I have decided that I wish to enter a plea of guilty to certain charges. I understand I have a right to appear before a judge in a courtroom in the Southern District of New York to enter my plea of guilty and to have my attorney beside me as I do. I am also aware that the public health emergency created by the COVID-19 pandemic has interfered with travel and restricted access to the federal courthouse. I have discussed these issues with my attorney. By signing this document, I wish to advise the court that I willingly give up my right to appear in person before the judge to enter a plea of guilty. By signing this document, I also wish to advise the court that I willingly give up any right I might have to have my attorney next to me as I enter my plea so long as the following conditions are met. I want my attorney to be able to participate in the proceeding and to be able to speak on my behalf during the proceeding. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

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